

Public Workshop to Discuss Amendments to the
Regulation for Mobile Cargo Handling Equipment at
Ports and Intermodal Rail Yards

Proposed Regulatory Amendment Concepts

November 30, 2010
Sacramento, California



California Environmental Protection Agency



Air Resources Board

Overview

- ◆ Background
- ◆ Flexibility Amendments
- ◆ Clarifying Amendments
- ◆ Next Steps



Background



Regulation Status

- ♦ Adopted by the Air Resources Board December 2005
- ♦ Approved by the Office of Administrative Law December 1, 2006
- ♦ Became effective December 31, 2006
- ♦ Applying for a U.S. EPA authorization
- ♦ Implementation began in January 2007

Applicability

♦ Regulation applies to:

- mobile equipment with diesel engines used at ports and intermodal rail yards

♦ Regulation does not apply to:

- portable diesel engines or equipment
- equipment used for fuel delivery or to transport personnel
- equipment brought in temporarily for construction projects or special jobs/repairs not planned or due to predictable process upsets

Implementation Status

♦ In-Use equipment brought into compliance:

- 55 percent of yard trucks
- 30 percent of non-yard truck equipment

♦ Cargo Handling Equipment on track for full compliance by 2017:

- Yard trucks w/off-road engines: 2015 or 2016 (w/VDECS)
- Yard trucks w/on-road engines: 2016 or 2017 (w/VDECS)
- Non-yard truck equipment: 2013

Reasons for Amendments

- ◆ Address issues encountered during implementation of the cargo handling equipment regulation:
 - Provide additional flexibility
 - Clarify language

Flexibility
Amendments



No VDECS Available

- ♦ **Allow an additional 2-year compliance extension for in-use (non-yard truck) equipment where no VDECS is available:**
 - Currently, after the second year of the compliance extension, if no VDECS available, equipment needs to be replaced
 - Market small, limited VDECS activity
 - Current economic situation favor retrofit over replacement
 - Additional compliance extension allows time for verifying new VDECS

Safety Extension

- ♦ **Add compliance extension for cases where VDECS creates a potential safety hazard:**
 - Line-of-sight issue associated with the installation of VDECS for some equipment
 - CalOSHA and ARB working together to address this issue via amendments to the off-road regulation
 - Planning to evaluate solution for inclusion in Cargo Handling Equipment Regulation.

Non-yard truck equipment transfers

♦ **Allow non-yard truck equipment transfers from port-to-port or rail yard-to-rail yard:**

- Some equipment owners/operators have multiple facilities in the State
- Provide flexibility for those owners/operators to move their non-yard truck equipment between locations
- Equipment transfers not to comply or delay compliance with regulation
- ARB will review and approve equipment transfer plans

Low Use Compliance Extension

♦ **Add compliance extension for non-yard truck equipment operated less than 150 hours per year:**

- Flexibility for equipment that is rarely used
- Tiered system: duration of extension tied to the number of hours equipment used annually

Manufacturer Delays for New Equipment

- ♦ **Allow rental of equipment not meeting current standards for maximum of six months if:**
 - equipment meeting current standards are not available for rent,
 - owner/operator can demonstrate need for equipment, and
 - owner/operator only rents equipment meeting the immediately preceding standard (i.e. if Tier 4 engines are required, only Tier 3 equipment would be allowed)

Warranty Replacement

- ♦ Allow warranty replacement with the same engine type in cases of premature engine failure:
 - Replace failed engines, still under warranty, with like engines, even when new engine emissions standards are place

Clarifying Amendments



Clarifying Amendment Concepts

Clarify and Add Definitions

- ◆ Clarify definitions:
 - “newly purchased, leased, or rented”
 - “cargo handling equipment”
 - “compression ignition”
- ◆ Add definition:
 - “water-borne commerce”

Definition of “Port”

- ♦ Clarify applicability by revising definition of “port”:
 - Clarify that non-port related businesses operating at a port are subject to the Cargo Handling Equipment Regulation

Equipment for Construction or Unexpected Repairs

- ♦ Clarify that equipment brought in for construction or unexpected repairs are not subject to regulation

New Technologies Must Meet Current Standards

- ♦ Clarify all new diesel engines, including those used in new technologies, must meet the regulation standards.
- ♦ New technologies could include:
 - Hybrids
 - Alternately fueled equipment

Questions/Comments/Ideas

- ♦ Discuss proposed amendments.
- ♦ Other amendments we should consider?

Next Steps



- ◆ Stakeholder Input
- ◆ Draft Regulatory Language
- ◆ Update CHE Emissions Inventory
- ◆ Emissions and Economic Impacts Analyses
- ◆ Next Public Workshop Early 2011
- ◆ Tentative Board Hearing April 2011

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